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FEDERAL BUREAU OF INVESTIGATION

Date of entry 01/31/2019

Pursuant to a shooting and use of force incident which occurred in Atlanta, Georgia on 01/22/2019, Assistant Inspector-in-Place (AIIP) Team Leader Chevyoryea Gibson and AIIP Roberto Basteris interviewed Task Force Officer (TFO) Sung H. Kim of the Atlanta Police Department (APD). After being advised of the identities of the interviewing Agents and the purpose of the interview, TFO Kim voluntarily provided the following information:

TFO Kim has been an officer with the APD since 1992. He was promoted to detective in April 1997 and was assigned to multiple units including the First Gun Unit, Narcotics, and Gangs. In 2002, TFO Kim was assigned to the FBI Atlanta Division's Safe Streets Gang Task Force. In 2012, he was transferred to FBI Atlanta's Violent Crimes Task Force, also known as the Atlanta Metropolitan Major Offenders (AMMO) Task Force. His primary duty is fugitive apprehension.

TFO Kim attends mandatory Georgia Peace Officer Standards and Training Council (GA Post) once a year. As part of the fugitive unit, he attends a large number of training sessions. TFO Kim participated in quarterly firearm qualifications. He participated in tactical training sessions and quarterly firearm trainings with the AMMO Task Force. He participated in quarterly fugitive tactical training sessions with the United States Marshals Service (USMS).

APD's fugitive detectives are assigned to either the AMMO, the USMS Fugitive Unit, or APD's Headquarter Division. Sergeant Lonnie Hood is the administrative supervisor for all APD fugitive detectives. He collects fugitive packages, which includes the subject's photograph, arrest warrant, criminal history, and police reports, from APD detectives and officers for subsequent assignment to fugitive detectives on a rotating basis.

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Investigation on 01/24/2019 at Atlanta, Georgia, United States (In Person)
File # 297I-HQ-A3053868Date drafted 01/24/2019by Roberto Basteris, Chevyoryea Gibson

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When AMMO detectives are assigned a fugitive case by Sergeant Hood, they initiate an Unlawful Flight to Avoid Prosecution (UFAP) or request assistance from other FBI Divisions through the task force. The AMMO focuses on the most dangerous felony fugitive cases. TFO Kim initiates two to three cases every two to three weeks.

Sergeant Kelly Lambert is the supervisor for APD personnel assigned to AMMO and is responsible for supervising all operational activity. AMMO detectives coordinate their investigations with Sergeant Lambert once they receive a fugitive package from Sergeant Hood. AMMO detectives coordinate with FBI Special Agents (SAs) Paul Costa and Matt Winn when utilizing task force resources. TFOs from APD also assist with bank robbery investigations, kidnapping investigations, and large scale FBI operations as required.

AMMO fugitive operations are either conducted for one specific location or are grouped together as part of a "detail." A detail involves multiple arrest operations on the same day and occur about once a week. Each operation has its own Operation Plan and is specifically briefed prior to the execution of the specific arrest operation.

TFO Kim received the fugitive package for Jimmy Atchison, who was wanted on a state arrest warrant for armed robbery with a handgun. Upon receipt of the case, TFO Kim initiated a UFAP case through the AMMO Task Force. He believed the preliminary investigation was commenced prior to 01/16/2019, when TFO Kim organized an arrest operation by the AMMO Task Force at Atchison's mother's residence. Atchison was not located at the residence, but the task force obtained information of a possible secondary location for Atchison through his family. The secondary location was 3047 Middleton Road NW, Apartment 336, Atlanta, Georgia 30311 (3047 Middleton). This residence was connected to Atchison through APD databases. TFO Kim did not have any information Atchison planned to flee the Atlanta area and believed he would be found at the 3047 Middleton address.

On 01/22/2019, the AMMO Task Force planned a detail involving multiple arrest locations. TFO Kim coordinated an arrest operation targeting Atchison at the 3047 Middleton address as part of the

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detail. The Atchison arrest was planned as the final arrest operation for the day. TFO Kim recalled one or two other arrest operations prior to the Atchison operation.

TFO Kim conducted a briefing near 3050 Martin Luther King Jr. Drive, NW in a commercial parking lot. He provided task force members with the name of the subject (Atchison), information on the subject location, and criminal history which included past physical assault of family members. He distributed Atchison's picture and advised task force members of his history of fighting and fleeing from law enforcement. TFO Kim designated entry and perimeter teams for the operation.

Following the briefing, task force members traveled to the 3047 Middleton location and parked in front of the building (notated as "X" on attached Exhibit 1). The entry team entered the building's breezeway and TFO Kim conducted multiple knock and announce admonitions utilizing Atchison's name. Due to a lack of response, the entry team breached the door.

After the door was breached, TFO Kim heard the following: "he's in the back"; "going out the back window"; "he's hanging on the rails"; "he's running but no shoes and no socks." TFO Kim looked through the breezeway and observed people running at the back of the building.

TFO Kim assisted task force members in trying to locate Atchison throughout the Allen Temple Apartments complex. He remembered Sergeant Lambert tell him, "I think he went towards the railroad track." Sergeant Lambert also said Atchison made the following statement prior to running from the 3047 Middleton location, "You got to kill me, you aren't taking me alive."

Atchison was subsequently placed to another building in the complex, 3018 Middleton Road NW, Atlanta, Georgia 30311 (3018 Middleton). TFO Kim joined task force members as they surrounded the 3018 Middleton building and heard someone say "he's running." TFO Kim drove his vehicle on Hickman Drive, NW towards the back of 3047 Middleton (notated with a blue dot on attached Exhibit 2) to establish an outer perimeter to contain Atchison within the complex. As task force members communicated with TFO Kim, he told them "nobody crossed me" (with respect to Atchison fleeing the complex).

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TFO Christian Malstrom chased Atchison to 3049 Middleton Road NW, Atlanta, Georgia 30311 (3049 Middleton) but lost sight of him when Atchison entered the building. Task force members established a perimeter around the 3049 Middleton building and TFO Kim set up in front of the building.

TFO Lambert obtained information from a local resident at 3049 Middleton indicating Atchison was hiding in her apartment. The resident gave consent for officers to search her apartment. TFO Kim whispered the information to task force members who were posting up in front of the woman's apartment (subsequently identified as apartment 343). He indicated SA Winn, SA Costa, TFO Cooper, and two other members from the task force formed the entry team for the apartment. TFO Kim joined as the last person on the entry team (notated with a "O" on attached Exhibit 3).

The entry team opened the door to the apartment and announced their presence for several minutes by stating: "Jimmy Atchison, Atlanta Police, come out." The Task Force members then entered the apartment with TFO Kim as the last person on the entry team. The entry team cleared the kitchen then proceeded to clear both bedroom three and the bathroom. TFO Kim became the third person in the entry team proceeding towards bedroom one and bedroom two (notated with two "X's" and one blue dot on attached Exhibit 3).

TFO Kim and TFO Cooper proceeded to clear bedroom one, while another task force member covered the entrance to bedroom two. TFO Cooper entered bedroom one towards the right side of the bedroom. TFO Kim entered bedroom one towards the closet (TFO Kim's position is notated with a line and an "O" on attached Exhibit 3). While clearing the back corner of the bedroom, TFO Kim observed an eyeball through a pile of clothing in the closet with his peripheral vision.

TFO Kim pretended not to see the individual under the clothing. He reached back and tapped a task force member inside the room next to the bedroom door to tell him Atchison was in the closet of bedroom one.

TFO Kim stepped between the closet and TFO Cooper and took a firing position with his firearm pointed at Atchison under the pile of clothing which he perceived as a threat. TFO Kim was in a pistol stance with his fingers along the slide of his firearm. Atchison was completely covered except for a small part

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FD-302a (Rev. 05-08-10)

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of his face and hairline. TFO Kim indicated he saw the, "white of the eye" on Atchison, but everything else was covered. TFO Kim stated, "I see you. Don't fucking move."

TFO Kim saw Atchison bring up his right arm and hand in, "a real fast motion," under the clothing, pointing his hand at TFO Kim's chest and face as if he was going to shoot him. TFO Kim saw Atchison move aggressively towards him with his hand. In the second of time TFO Kim had to assess Atchison's abrupt and sudden action, including the fact that Atchison had been armed in the past, and continued noncompliance with TFO Kim's orders not to move, TFO Kim believed that Atchison was about to shoot him with a firearm. TFO Kim then discharged his firearm at Atchison who was still under the pile of clothing.

TFO Kim could not move either to his left or right, due to his proximity to Atchison's hiding location. He did not see Atchison's hand under the clothing when he initially pointed it at him. After discharging his weapon, TFO Kim saw Atchison's hand and part of his arm slide out of the pile of clothing.

TFO Kim was not startled by Atchison's sudden movement. He believed Atchison was armed and was going to shoot him.

TFO Kim continued to watch Atchison's hands following the discharge of his weapon. As other task force members entered the bedroom, TFO Kim holstered his weapon, summoned for medical assistance and removed himself from the scene.

TFO Kim carries a 9mm Glock Pistol which is the standard issue service weapon for APD. On the day of the operation, TFO Kim wore a dark top and green pants which all members of the Task Force wore during operations. TFO Kim also wore full front, back and side body armor plates within a green tactical vest. The vest has white lettering on the front which states, "Police, name tag and badge." The back of the vest has black lettering which states, "FBI Task Force."

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